

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

SCOTT L. MONCRIEF,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of
Social Security Administration,

Defendant.

CASE NO. C09-5715RBL

REPORT AND
RECOMMENDATION

Noted for September 10, 2010

This matter has been referred to Magistrate Judge J. Richard Creatura pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Magistrates Rule MJR 4(a)(4) and as authorized by Mathews v. Weber, 423 U.S. 261 (1976). Plaintiff brought this action pursuant to 42 U.S.C. § 405(g) seeking judicial review of a final decision of the Commissioner of Social Security denying an application for social security benefits.

This matter is before the court on the parties' stipulated motion to remand the matter to the administration for further consideration. Doc. 18. The motion states that the parties agree the matter should be remanded pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the

1 Administrative Law Judge should be directed to update the records and re-evaluate the entire case
2 based on the expanded record.

3 Based on the parties' agreement, the Court should remand the matter to the administrative
4 for further consideration as noted above. Pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of
5 the Federal Rules of Civil Procedure, the parties shall have fourteen (14) days from service of
6 this Report to file written objections. *See also* Fed. R. Civ. P. 6. Failure to file objections will
7 result in a waiver of those objections for purposes of appeal. Thomas v. Arn, 474 U.S. 140
8 (1985). Accommodating the time limit imposed by Rule 72(b), the clerk is directed to set the
9 matter for consideration on **September 10, 2010**, as noted in the caption.

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11 DATED at this 13th day of August, 2010.
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14 J. Richard Creatura
15 United States Magistrate Judge
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